



Missouri Department of Elementary and Secondary Education

— Making a positive difference through education and service —

January 18, 2006

TO: Principals and Administrators of Nonpublic Schools

FROM: Craig Rector, Director
Federal Discretionary Grants

SUBJECT: Hurricane Relief Program for Homeless & Displaced Students for Nonpublic Schools

The Hurricane Education Recovery Act, which was recently signed into law, authorizes three new grant programs to assist schools in meeting the educational needs of students displaced by Hurricanes Katrina and Rita and in helping schools closed by hurricanes to reopen as quickly and effectively as possible. Two of these new programs will affect Missouri. The Emergency Impact Aid for Displaced Students provides assistance to local education agencies for the cost of educating students who were displaced by Hurricanes Katrina and Rita during the school year 2005-2006. Assistance for Homeless Youths provides funding to address the needs of homeless students displaced by the hurricanes.

Article I, Sections 5, 6, and 7 and Article IX, Section 8 of the Missouri Constitution have been interpreted by the Missouri Supreme Court to prohibit both direct and indirect aid to parochial schools. The required uses of funds under the Hurricane Education Recovery Act contradict Missouri Law. For this reason, the provisions Section 107, (k) of Title IV – Hurricane Education Recovery Act are being implemented to provide a by-pass process for non-public schools within this state. This means that aid will be distributed from the U.S. Department of Education, through a by-pass contractor, to the families of eligible students.

Nonpublic schools that receive Emergency Impact Aid funds from student accounts must maintain adequate written records to support the amount of funds that are received and the allowable expenditures that are made under the program for this fiscal year. Recipients must keep auditable records documenting the enrollment of the displaced children on whose behalf the nonpublic school received payments for displaced students.

We will assist the U.S. Department of Education in collecting data on the number of displaced students enrolled in registered nonpublic schools. Enclosed with this mailing is the *"Certification by Nonpublic Schools for Emergency Impact Aid for Displaced Students"* form and the *"Application by Parent or Guardian for Aid on Behalf of Nonpublic Displaced Students"*. The application process has a very tight timeline, as required by the law. Nonpublic schools will need to submit both of these forms to our office no later than **January 26, 2006**. In order to receive funding, you must meet this deadline.

Displaced students are those students who:

- a. On August 22, 2005, resided in, and were enrolled or were eligible to be enrolled in a school in an area for which the Federal Government later declared a major disaster related to Hurricane Katrina or Hurricane Rita; and
- b. As a result of their displacement by the storm, are enrolled in different schools on a date on which an enrollment count is taken for the purpose of this program.

Displaced students attending a nonpublic school must have enrolled in an eligible nonpublic school prior to December 30, 2005, the date of enactment of the Hurricane Education Recovery Act. The student's parents must have chosen to enroll the students in a nonpublic school, and the student's parents must submit a timely application for funding under this program.

A nonpublic school need not have waived tuition at the time of a displaced student's enrollment. If it has not previously waived or reimbursed tuition, the school must reimburse tuition that was paid for a displaced student in order to receive funds under this program.

We anticipate that the U.S. Department of Education will select a by-pass contractor to establish an "account" for displaced nonpublic school students. These accounts may be established as part of the by-pass contractor's financial recording system, at the nonpublic schools the displaced students attend, or through some other means such as an account at a financial institution. The by-pass contractor makes the funds in these accounts available to the nonpublic schools in which these displaced students attend. The bypass contractor and nonpublic schools must record (such as in a ledger or spreadsheet) the names of the displaced students, the funds provided for each student, and the disbursement of those funds to a particular nonpublic school.

Nonpublic schools may expend these program funds to provide instructional opportunities for displaced students and for expenses the recipient incurs in serving displaced students. Examples of allowable expenses include:

- a. paying personnel, including teacher aides, in schools enrolling displaced students;
- b. identifying and acquiring curricular material and classroom supplies;
- c. acquiring or leasing mobile educational units or leasing sites and spaces (to the extent that those costs are not met by FEMA);
- d. providing basic instructional services for displaced students, including tutoring, mentoring, or academic counseling;
- e. paying reasonable transportation costs;
- f. providing health and counseling services; and
- g. providing education and support services.

Funds received under this section shall not be used for construction or major renovation of schools. **A nonpublic school must waive tuition or reimburse tuition paid in order to receive funds under this program.** It is anticipated that nonpublic schools will receive payments up to \$6,000 per student who is not receiving special education and related services consistent with IDEA, if that student remained in your school for all four quarters. It is anticipated that nonpublic schools will receive payments up to \$7,500 per student who would be receiving special education and related services consistent with IDEA, if that student remained in your school for all four quarters. These amounts are estimates and could change due to the number of students served, by-pass contractor, and Federal appropriation.

Note that the definition includes students who, on the date a count is taken, are enrolled in your school because of the impact of one of the hurricanes and are not in their original school. This would include those students who meet the above definition who have now found permanent housing in your district.

The application form, legislation, and other pertinent information can be found on the following website <http://dese.mo.gov/divimprove/fedprog/discretionarygrants/hurricanereliefprogram/index.html>.

If you have any questions, please contact me at (573) 526-1594 or Kim Oligschlaeger at (573) 522-8763.